

Amendment No. 2 to HB1779

Todd
Signature of Sponsor

AMEND Senate Bill No. 660*

House Bill No. 1779

by adding the following as a new appropriately designated sections immediately preceding the effective date section:

SECTION _____. Tennessee Code Annotated, Section 7-82-307(b)(1), is amended by inserting the language “, and may conduct a contested case hearing in accordance with subdivision (B),” after the language “shall conduct a contested case hearing” and the language “within the service area”.

SECTION _____. Tennessee Code Annotated, Section 7-82-307(b)(1), is amended by designating the existing language as subdivision (A) and by adding the following language to be designated as subdivision (B):

(B) If the comptroller of the treasury investigates or conducts an audit of a utility district, the comptroller shall forward to the utility management review board any published investigative audit reports involving a utility district incorporated under this chapter. The board shall review those reports and may conduct a contested case hearing on the question of whether utility district commissioners should be removed from office for knowingly or willfully committing misconduct in office; knowingly or willfully neglecting to fulfill any duty imposed upon such member by law; or failing to fulfill his or her or their fiduciary responsibility in the operation or oversight of the district.

SECTION _____. Tennessee Code Annotated, Section 7-82-307(b), is amended by deleting the words “member by law, then the board” in the first sentence of the new section (3) and by substituting instead the following:

member by law; or failed to fulfill his/her or their fiduciary responsibility in the operation or oversight of the district, then the board

SECTION _____. Tennessee Code Annotated, Section 7-82-307(b)(3)(A)(i) is by deleting the word “or” at the end of subdivision (a), by adding the following language as a new subdivision (b), and by relettering the subsequent subdivision accordingly:

(3)(A)(i)

(b) A member or members failed to fulfill his/her or their fiduciary responsibility in the operation or oversight of the district; or